

Plaintiffs Michael Smith and Lisa Alberton (“**Plaintiffs**”) and Defendant Sears Holdings Corp. (“**Sears**”), by and through their undersigned counsel, jointly submit to the Court this status report, as required by the Court’s April 4, 2022 Order. (ECF 46).

On October 15, 2018, Sears Holding Corporation and its debtor affiliates, as debtors and debtors in possession (collectively, the “**Debtors**”) commenced a voluntary case (the “**Bankruptcy Matter**”) under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of New York. The Bankruptcy Matter remains pending and ongoing, and the automatic stay, pursuant to Section 362(a) of the Bankruptcy Code, remains in place. Debtors do not have an estimated timeline for resolution of the Bankruptcy Matter.

WHEREFORE, the parties jointly request that the Court strike the status hearing set for May 19, 2022, in light of the bankruptcy stay.

By: /s/ Matthew J. Caccamo

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Attorneys for Plaintiffs and the Proposed Class

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all Counsel of Record.

/s/ Matthew J. Caccamo
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